



General Assembly

## ***Substitute Bill No. 5148***

***February Session, 2014***



### ***AN ACT CONCERNING SKI SAFETY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-201 of the 2014 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2014*):

4 As used in this chapter, unless the context clearly indicates  
5 otherwise:

6 (1) "Passenger tramway" means a device used to transport  
7 passengers in cars on tracks or suspended in the air, or uphill on skis,  
8 by the use of steel cables, chains or belts or by ropes, and usually  
9 supported by trestles or towers with one or more spans, but shall not  
10 include any such device not available for public use and not subject to  
11 a fee for use of same. The term "passenger tramway" includes the  
12 following: (A) Two-car aerial passenger tramways, which are devices  
13 used to transport passengers in two open or enclosed cars attached to,  
14 and suspended from, a moving wire rope, or attached to a moving  
15 wire rope and supported on a standing wire rope, or similar devices;  
16 (B) multicar aerial passenger tramways, which are devices used to  
17 transport passengers in several open or enclosed cars attached to, and  
18 suspended from, a moving wire rope, or attached to a moving wire  
19 rope and supported on a standing wire rope, or similar devices; (C)

20 skimobiles, which are devices in which a passenger car running on  
21 steel or wooden tracks is attached to and pulled by a steel cable, or  
22 similar devices; (D) chair lifts, which are devices which carry  
23 passengers on chairs suspended in the air and attached to a moving  
24 cable, chain or link belt supported by trestles or towers with one or  
25 more spans, or similar devices; (E) J bars, T bars, platter pulls and  
26 similar types of devices, which are means of transportation that pull  
27 skiers riding on skis by means of an attachment to a main overhead  
28 cable supported by trestles or towers with one or more spans; and (F)  
29 rope tows, which are devices that pull the skiers riding on skis as the  
30 skier grasps the rope manually, or similar devices.

31 (2) "Operator" means a person who owns or controls the operation  
32 of a passenger tramway or ski area. An operator of a passenger  
33 tramway shall be deemed not to be operating a common carrier.

34 (3) "Department" means the Department of Administrative Services.

35 (4) "Commissioner" means the Commissioner of Administrative  
36 Services.

37 (5) "Skier" includes the following: (A) A person utilizing the ski area  
38 under control of the operator for the purpose of skiing, whether or not  
39 he or she is utilizing a passenger tramway; and (B) a person utilizing  
40 the passenger tramway whether or not such person is a skier,  
41 including riders on a passenger tramway operating during the  
42 nonskiing season.

43 (6) "Restraint device" means a restraining bar on a passenger  
44 tramway that does not yield to forward pressure by a skier.

45 Sec. 2. Section 29-211 of the general statutes is repealed and the  
46 following is substituted in lieu thereof (*Effective October 1, 2014*):

47 In the operation of a passenger tramway or ski area, each operator  
48 shall have the obligation to perform certain duties including, but not  
49 limited to: (1) Conspicuously marking all trail maintenance vehicles

50 and furnishing the vehicles with flashing or rotating lights which shall  
51 be operated whenever the vehicles are working or moving within the  
52 skiing area; (2) [conspicuously marking the location of any hydrant or  
53 similar device used in snow-making operations and placed on a trail or  
54 slope; (3)] conspicuously marking the entrance to each trail or slope  
55 with a symbol, adopted or approved by the National Ski Areas  
56 Association, which identifies the relative degree of difficulty of such  
57 trail or slope or warns that such trail or slope is closed; [(4)  
58 conspicuously marking] (3) ensuring that any lift tower that is located  
59 on a trail or slope [and is not readily visible; (5)] is padded or  
60 otherwise protected; (4) maintaining one or more trail boards, at  
61 prominent locations within the ski area, displaying such area's  
62 network of ski trails and slopes, designating each trail or slope in the  
63 same manner as provided in subdivision [(3)] (2) of this section and  
64 notifying each skier that the wearing of ski retention straps or other  
65 devices used to prevent runaway skis is required by [this section,  
66 section 29-201 and sections 29-212 to 29-213, inclusive] section 29-213,  
67 as amended by this act; [(6)] (5) in the event maintenance personnel or  
68 equipment are being employed on any trail or slope during the hours  
69 at which such trail or slope is open to the public, conspicuously  
70 posting notice thereof at the entrance to such trail or slope; [and (7)] (6)  
71 conspicuously marking trail or slope intersections; (7) ensuring that  
72 passenger tramways, as defined in subparagraph (A), (B), or (D) of  
73 subdivision (1) of section 29-201, as amended by this act, are equipped  
74 with restraint devices; (8) at the entrance of a passenger tramway, as  
75 defined in subparagraph (A), (B), or (D) of subdivision (1) of section  
76 29-201, as amended by this act, conspicuously posting instructions  
77 regarding the proper use of a restraint device on such passenger  
78 tramway and notice that the use of a restraint device on such  
79 passenger tramway is required by section 29-213, as amended by this  
80 act; and (9) ensuring that any hydrant, snow-making equipment and  
81 pipes that are located within the borders of a designated slope, trail or  
82 area that is approved and open for skiing by the operator and  
83 regularly groomed as part of the operator's normal maintenance  
84 activities are padded or marked by portable fencing or a similar

85 device.

86 Sec. 3. Section 29-213 of the general statutes is repealed and the  
87 following is substituted in lieu thereof (*Effective October 1, 2014*):

88 No skier shall: (1) Intentionally drop, throw or expel any object from  
89 a passenger tramway; (2) do any act which shall interfere with the  
90 running or operation of a passenger tramway; (3) use a passenger  
91 tramway without the permission of the operator; (4) place any object in  
92 the skiing area or on the uphill track of a passenger tramway which  
93 may cause a skier to fall; (5) cross the track of a J bar lift, T bar lift,  
94 platter pull or similar device or a rope tow, except at a designated  
95 location; (6) depart from the scene of a skiing accident when involved  
96 in the accident without leaving personal identification, including name  
97 and address, or before notifying the proper authorities and obtaining  
98 assistance when such skier knows that any other skier involved in the  
99 accident is in need of medical or other assistance; (7) fail to wear  
100 retention straps or other devices used to prevent runaway skis; or (8)  
101 fail to close the restraint device except when embarking and  
102 disembarking the passenger tramway, as defined in subparagraph (A),  
103 (B) or (D) of subdivision (1) of section 29-201, as amended by this act.

104 Sec. 4. Subsection (b) of section 29-212 of the general statutes is  
105 repealed and the following is substituted in lieu thereof (*Effective*  
106 *October 1, 2014*):

107 (b) Each skier shall assume the risk of and legal responsibility for  
108 any injury to his or her person or property caused by the hazards  
109 inherent in the sport of skiing. Such hazards include, but are not  
110 limited to: (1) Variations in the terrain of the trail or slope which is  
111 marked in accordance with subdivision [(3)] (2) of section 29-211, as  
112 amended by this act, or variations in surface or subsurface snow or ice  
113 conditions, except that no skier assumes the risk of variations which  
114 are caused by the ski area operator unless such variations are caused  
115 by snow making, snow grooming or rescue operations; (2) bare spots  
116 which do not require the closing of the trail or slope; (3) conspicuously

117 placed or, if not so placed, conspicuously marked lift towers; (4) trees  
118 or other objects not within the confines of the trail or slope; (5) loading,  
119 unloading or otherwise using a passenger tramway without prior  
120 knowledge of proper loading and unloading procedures or without  
121 reading instructions concerning loading and unloading posted at the  
122 base of such passenger tramway or without asking for such  
123 instructions; and (6) collisions with any other person by any skier  
124 while skiing, except that collisions with on-duty employees of the ski  
125 area operator who are skiing and are within the scope of their  
126 employment at the time of the collision shall not be a hazard inherent  
127 in the sport of skiing.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2014</i>	29-201
Sec. 2	<i>October 1, 2014</i>	29-211
Sec. 3	<i>October 1, 2014</i>	29-213
Sec. 4	<i>October 1, 2014</i>	29-212(b)

***Statement of Legislative Commissioners:***

In section 2 (7) and (8) and section 3 (8), references to the definition of "passenger tramways" were repositioned for clarity.

***PS***        *Joint Favorable Subst.*